

S rial No. 10/009,285
Art Unit: 1751

REMARKS/ARGUMENTS

Claims 11 and 13-20 remain in the application. Claim 12 has been canceled. Claims 11 and 13-16 have been amended. Reconsideration of the application and reexamination of the remaining claims as amended is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102


Claims 11-20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Ansmann (U.S. 6,228,831).

Applicants overcome this rejection by amending claim 11 to specifically recite that the pearlizing wax is selected from the group consisting of an alkylene glycol ester, a fatty acid alkanolamide, a partial glyceride ester of a polybasic carboxylic acid, a partial glyceride ester of a polybasic hydroxysubstituted carboxylic acid, a fatty alcohol, a fatty acid, a fatty ketone, a fatty aldehyde, a fatty ether, a fatty carbonate, ring opening products of olefin epoxides and mixtures thereof. Since claim 11 recites pearlizing waxes that are different from those disclosed by Ansmann, Ansmann does not disclose each and every element of the claimed invention, arranged as in the claim as required by law. *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 U.S.P.Q. 193 (Fed. Cir. 1983). The rejection of claims 13-19 is also overcome with amendment to claim 11 as described above since claims 13-19 depend from claim 11. Claim 20 is not anticipated by Ansmann because it contains no teaching of the use of a polyol ester to increase the viscosity of a pearlescent concentrate.

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It is believed that the foregoing is completely responsive under 37 CFR 1.111 and that all grounds of rejection and objection have been completely overcome or obviated. It is believed that claims 11 and 13-20 as amended are in condition for allowance and a notice of allowance is respectfully requested.

Respectfully submitted,



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